

p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street  
Michael Franck Building  
Lansing, MI  
48933-2012

### **Addressing How Michigan Delivers Public Defense Services**

The State Bar of Michigan has long recognized the need to examine the delivery of public defense services in criminal proceedings in the state. The State Bar has been engaged in this discussion for at least 25 years, starting with the appointment of a Defense Services Committee that reviewed Michigan's system.

The American Bar Association (ABA) adopted ten principles of a public defense delivery system in 2002. The State Bar of Michigan responded quickly and adopted the ten principles two months after the ABA. The State Bar also adopted an eleventh principle that is unique to our state and was recommended by the Michigan Public Defense Task Force. By adopting eleven principles, the State Bar recognized that the criminal justice system relies on the quality of its judicial, prosecutorial and defense delivery systems. The public defense delivery system must be a partner for the criminal justice system to operate effectively and efficiently.

### **Important Steps Toward Reform**

**April 2002:** The Representative Assembly adopts 11 principles of a public defense delivery system.

**October 2003:** The Executive Committee adopts a recommendation from the State Bar's Criminal Defense Task Force to "support the establishment by the Legislature of a broad-based commission...to examine the delivery of defense services...and to make recommendations to enhance and improve upon the present system."

**April 2005:** The Board of Commissioners supports the State Bar's participation in the formulation of legislation that actualizes the 11 principles.

**June 2006:** The Michigan Legislature adopted Concurrent Resolution 39, which called for the State Bar and the National Legal Aid and Defender Association (NLADA) to issue a joint report on indigent criminal defenses services in Michigan. Information was collected in cooperation with the State Court Administrative Office. The report was released on June 17, 2008.

**December 2009:** The State Bar supports legislation introduced to enact statewide reform.

### **State Bar of Michigan Responds**

The State Bar of Michigan is required under Michigan Supreme Court Rules to "aid in promoting improvements in the administration of justice and advancements in jurisprudence, in improving relations between the legal profession and the public, and in promoting the interest of the legal profession in this State."

The United States Constitution guarantees the right of each individual to effective assistance of counsel in criminal proceedings. The State Bar of Michigan will work to address the research provided in the NLADA Report and partner with all stakeholders to ensure Michigan has a justice system that works for all.

The State Bar of Michigan has actively participated in public hearings, legislative work groups and other forums to advance reform. The State Bar is pleased to be working in partnership with the Michigan Campaign for Justice.